



Application for Zoning Board of Adjustment

*** This application must be filled out completely and signed before submittals are placed on the ZBA agenda.**

PETITIONER INFORMATION

Name of Petitioner: Joseph and Melissa Jedlicka
Address of Petitioner: 35 Somerset Downs Phone #: 314-575-1975
Email address of petitioner: JOSEPHJEDLICKA@SBCGLOBAL.NET

PROPERTY INFORMATION

Address: 35 Somerset Downs
Zoning District: A
Parcel Identification Number: 21M530030
Variance being requested: A small side setback variance of 8 ft. 8 in. on a diagonal for 15 ft. 6 in. (Total of 82 sq ft) for a much needed Garage Addition.

By signing this application, you acknowledge that by submitting an incomplete petition, your item may not be added to the meeting agenda. A representative for the proposal must be in attendance to present the project to the Board.

x Melissa Jedlicka Joseph Jedlicka Date: April 27, 2023

* This application and review for City of Ladue building permitted purposes only. Please be aware of any additional covenants and indentures which may be recorded with your subdivision.

Melissa and Joseph Jedlicka
35 Somerset Downs
Ladue, Missouri 63124

Zoning Board of Adjustment Chair
Building Department
City Hall
Ladue, MO 63124

April 27, 2023

Re: APPEAL STATEMENT: 35 Somerset Downs – Need of Minor Setback Variance for Garage Addition

We have been residents of Ladue for over 25 years and have recently purchased our third home in Ladue in January 2023. Our new home on Somerset Downs has a single garage that is only 17 feet wide, which is not even wide enough for our two cars to fit inside and open any doors. After significantly down-sizing, we are in need of garage space for our two vehicles we drive every day, as well as a 1959 Ford Thunderbird heirloom, a riding lawn mower, ATV, among other traditional items commonly stored in a garage.

Beyond the use of storage, we are also in need of a safe and ergonomic access to a garage bay and the interior of the home for our 90-year-old parents who stay with us periodically for doctors' visits, medical treatments (and that may expand), as well as our children and grandchildren.

The proposed garage addition would significantly add to the use, function and value of the house and has been designed carefully to accommodate any issues that may arise. The addition has been designed to perfectly match the existing brick, shake roof and style of the house. It has been placed toward the rear of the property to minimize and nearly eliminate its view from the street. Since the home is on the back of a cul-de-sac, this garage addition would be virtually not viewable by any passersby. The Architectural Review Board approved the proposed plan without comment --other than that the garage could or should be larger.

The placement of the garage also allows for minimal addition of new pavement, reduces the impervious area impact, minimizes dirt removal and eliminates the need for any new retaining walls. It is also designed to ensure proper water flow due to the unique topography.

This appeal seeks a minor variance of the 50-foot setback to accommodate a portion of the garage consisting of a small triangle running 8 feet 8 inches by 15 feet 6 inches for a total of just 82 square feet.

THE PROPERTY

The property at 35 Somerset Downs is irregular in shape, and the positioning of the home on it creates a challenge to properly constructing a new garage. The house built in 1970 was pushed to the far southwest of the lot because of a creek runoff that ran through the middle of the property and prevented any building in that easterly direction. The entire eastern side of the house and the middle of the property has an MSD easement and is unbuildable.

Although technically a 3 acre lot, it functions more like a 1 ½ acre lot due to this creek runoff easement dissecting the middle of the property – over an acre of the lot is on the opposite side in a narrow and wooded area that is in an unbuildable and unreachable corner to the north.

The house also was built on a diagonal due to the irregular shape of the lot. In addition, it is on a hillside with slopes on both the side yard and the back yard. The back of the yard behind the family room has a small grassed area that is the only grassed area usable and viewable from the house.

SETBACK CONSIDERATIONS

The manner in which the home is situated on the property and the deficient garage space for the current home requires a small variance to the side 50-foot setback. Strict adherence to the setback creates an undue hardship on the accepted and expected use of the home.

To properly construct the garage, a very small amount of area within the 50 foot setback is required. The front of the garage requires a variance of 8 feet 8 inches of length for a diagonal run of 15.5 feet. This amounts to a total of just 82 square feet within the setback area. This constitutes just .0006 (or 6 / 100ths) of the 3 acres on the property or the size of an 8 X 10 closet.

The primary purpose of setback requirements on larger properties is to ensure adequate space between homes and maintain a comfortable visual distance between structures for neighbors and visitors to the area. The proposed plan fulfills the intent and rationale of the setback concept in every way:

- *It is only an 8 foot variance, and from street view will rarely be noticeable to anyone due to the large spaces, trees, vegetation and wing wall.

- *With the home built on a hill, it will be barely seen from the street if at all.

- *With the home at the end of the cul-de-sac, the addition would only be partially viewable – and even then, only by the very few who might drive to the very end of the cul-de- sac.

*The affected neighbor on #39 Somerset Downs, who is also a street trustee, fully supports the issuance of this setback variance. The other neighbors fully support the garage addition.

*The distance between the new addition and the neighbor's house still would be 150 feet apart, far beyond the 100 feet contemplated by the standard setback.

Importantly, this location also allows for both garages to have a common driveway and entry point, and significantly limits the amount of additional impervious area that would be required of any other area of the property. The plan is designed with proper water flow in mind. The plan as designed minimizes any setback encroachment, limiting it only to our needs.

The addition will barely be noticeable from the street, while the irregular shape of the lot, and the topographic challenges on the northern side of the property deem the addition location at the southwest end of the home to be necessary.

SUMMARY

Strict adherence to the 50- foot setback requirement would impose an unnecessary hardship and practical difficulties for proper use and enjoyment of the property. Moreover, this minor variance fully complies with the intent and spirit of the zoning ordinance. This request also complies with other precedents for setback variances granted and decided by the Zoning Board of Adjustment.

We made a large investment in purchasing this property, and would like to invest further toward significant improvements in this home. Simply put, this 5-bedroom 6200 square foot home – with only a one car garage - needs a two-car garage addition as proposed.

We look forward to parking our cars and other items in a garage again for safety, security and weather concerns. Leaving all these things outside creates a daily enticement for criminal activity for our property and each of our neighbors. We also owe our neighbors and guests an improved view of the house without our vehicles always being parked in the front driveway, or the many items that should be in a garage being visible and in the way.

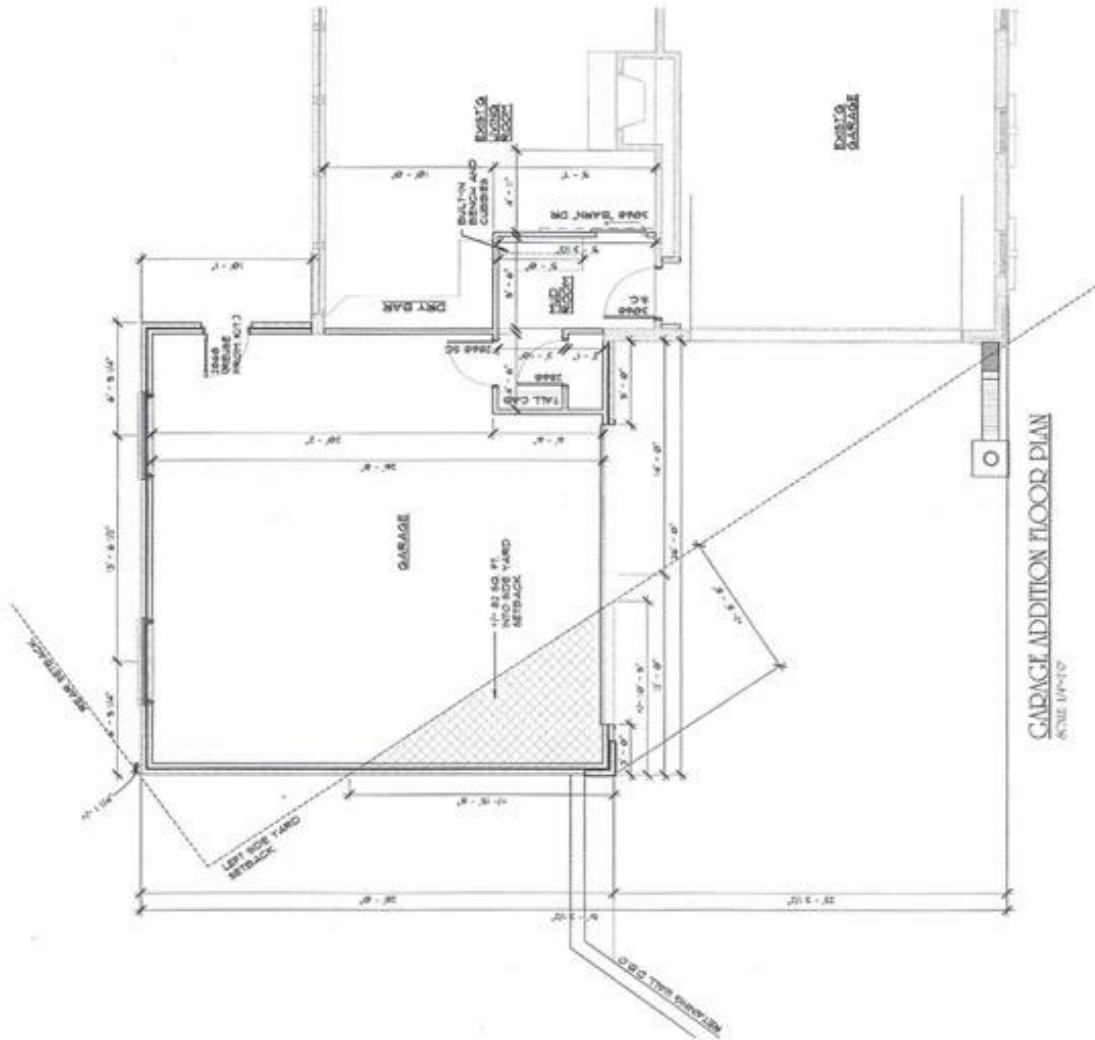
The trustees for Somerset Downs and the adjoining property neighbors have approved and support this improvement and addition to the property. We hope that the ZBA will do the same.

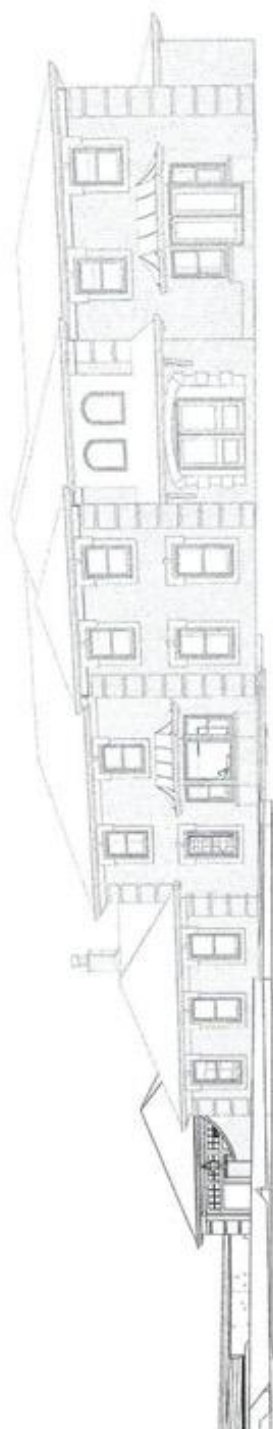
We welcome you as visitors to our home to review and discuss the current undue constraints we are working with for this project, and truly appreciate your consideration for our request.

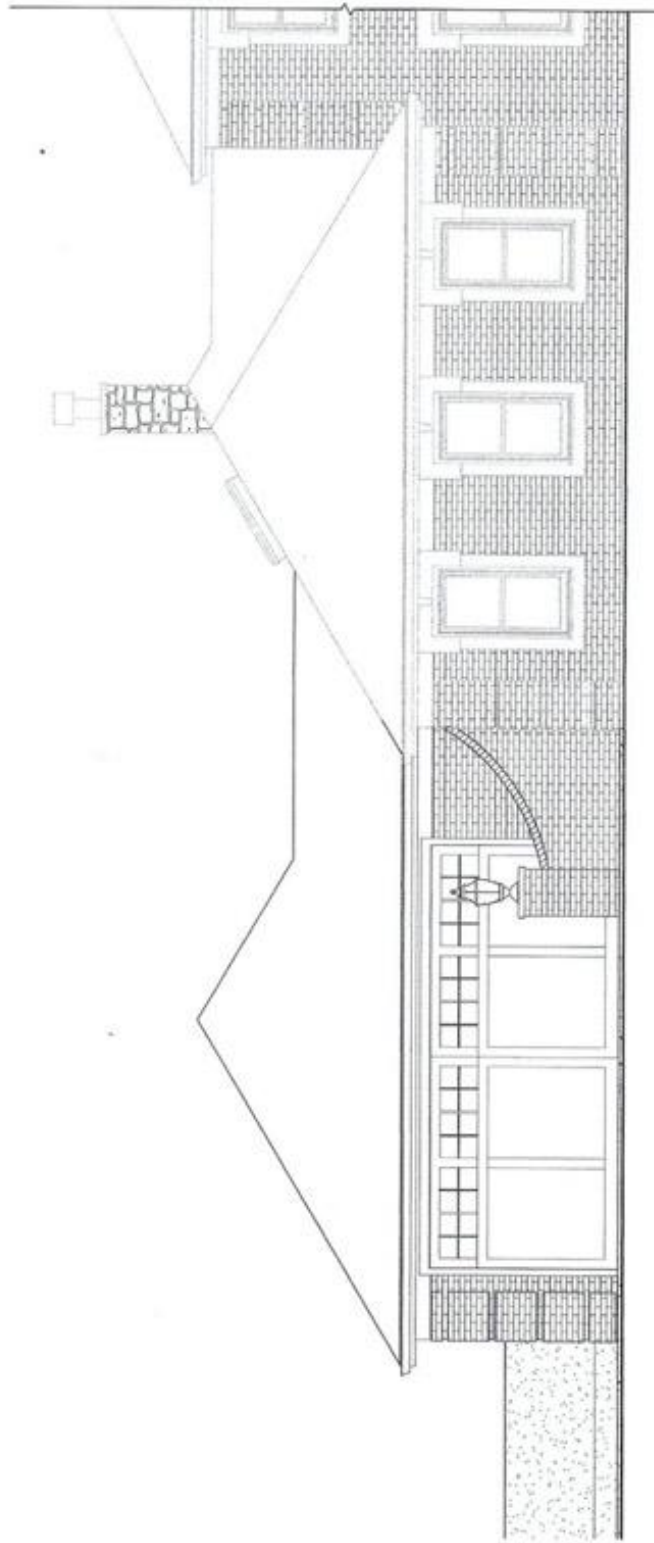
Sincerely,

Melissa and Joseph Jedlicka
35 Somerset Downs

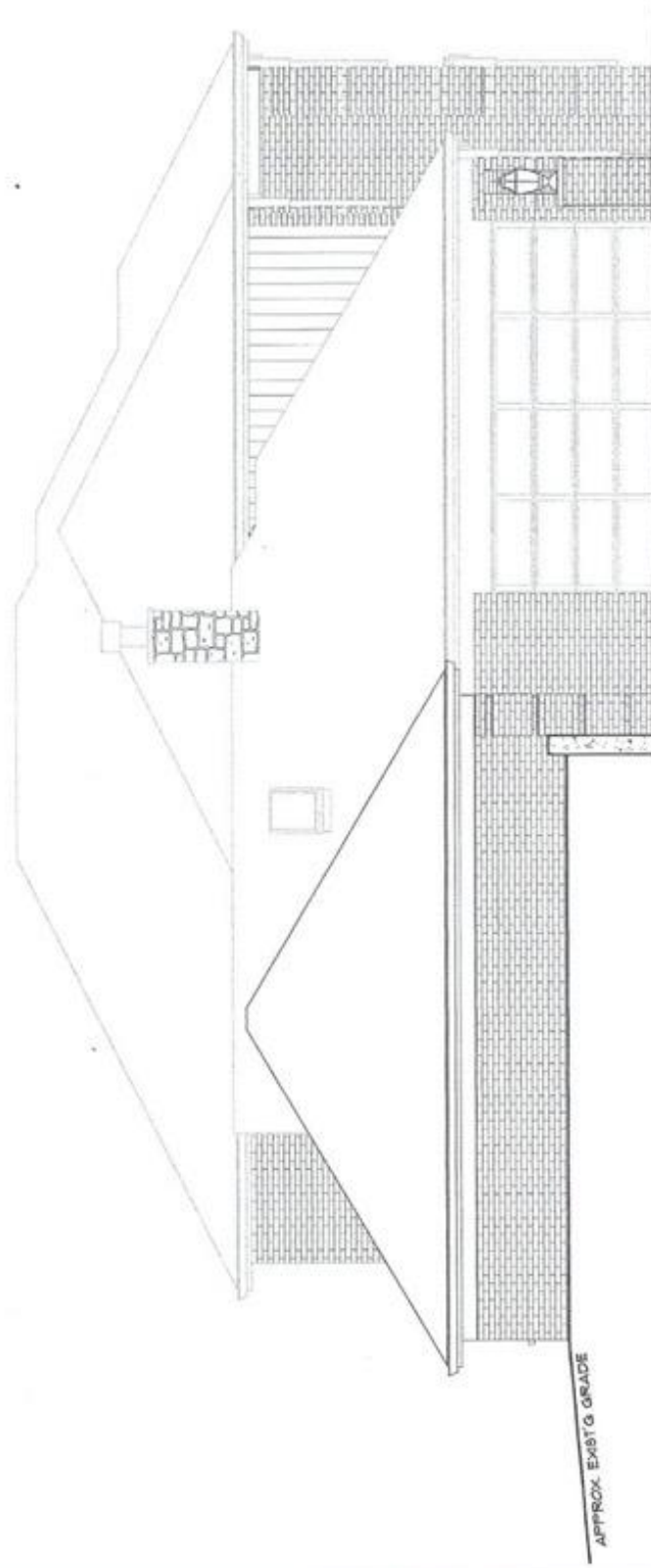
SITE LOCATOR MAP
SCALE 1:50,000





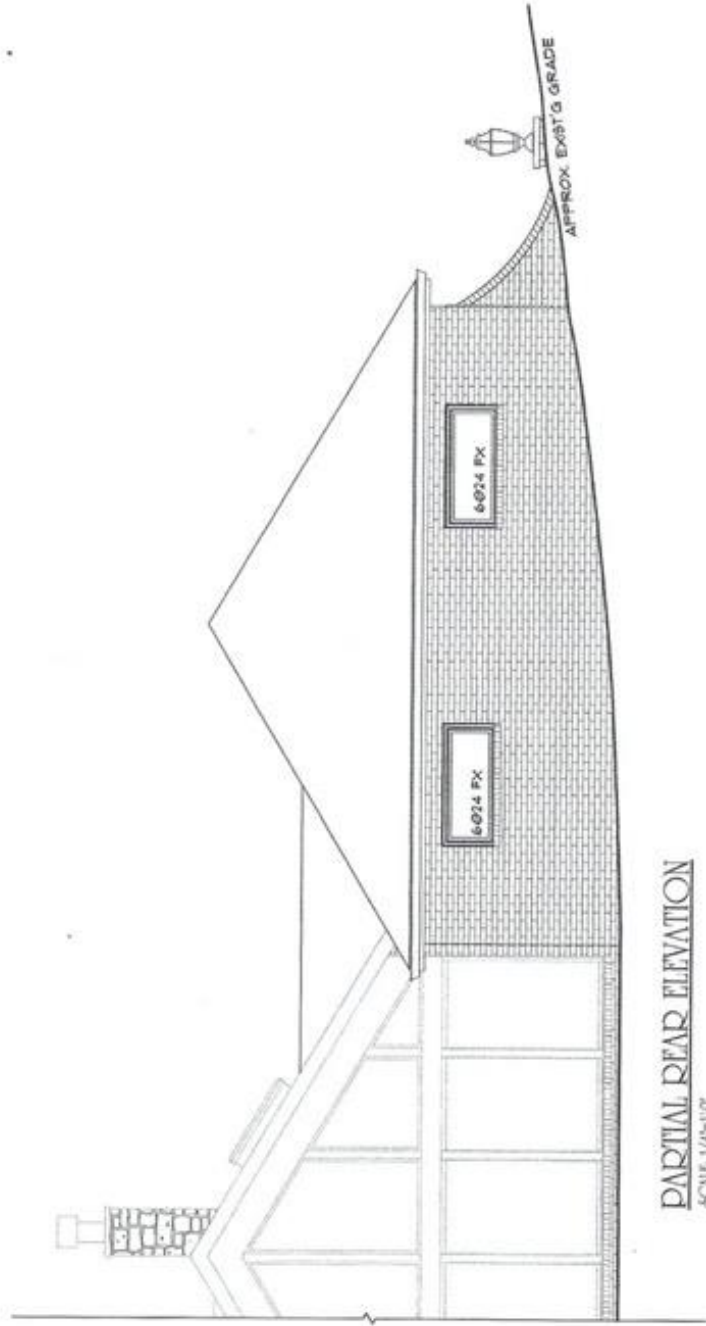


PARTIAL FRONT ELEVATION
SCALE 1/4"=1'-0"



LEFT SIDE ELEVATION
SCALE 1/4"=1'-0"

APPROX. EXIST'G GRADE



PARTIAL REAR ELEVATION
SCALE 1/4"=1'-0"